

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/712,500	CIRULLI ET AL.	
	Examiner Erick Rekstad	Art Unit 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to June 24, 2004.
2.  The allowed claim(s) is/are 1-33.
3.  The drawings filed on 14 November 2000 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_.
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

CHRIS KELLEY

SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 2600

Part of Paper No./Mail Date 20050107

## **DETAILED ACTION**

This is an allowance for application no. 09/712,500 in response to arguments filed on June 26, 2004 in which claims 1-33 are presented for examination.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-33 have been fully considered and are persuasive. The rejection of claims 1-33 has been withdrawn.

### ***Allowable Subject Matter***

Claims 1-33 allowed.

The following is a statement of reasons for the indication of allowable subject matter:

As shown in Figure 7A, US Patent 5,646,750 to Collier teaches a method and system for converting a sequence of electronically captured images into a sequence of modified images providing the appearance of images captured by a film reproduction system, the film reproduction system being of the type that includes a motion picture negative film printed onto a motion picture print film (Col 4 Lines 27-38) that is displayed, or a reversal motion picture system in which a reversal film is displayed, said method comprising the steps of:

- a) electronically capturing a sequence of images, resulting in electronically captured image data (Col 7 Lines 20-63, Col 3 Lines 16-25);
- c) (Optionally) transforming the neutral-corrected electronically captured images with a linear function that emulates a film exposure of the film reproduction system, resulting in exposure-corrected electronically captured images (Col 11 Lines 28-64);

e) transforming corrected electronically captured images with a linear function that emulates a film color look provided by the film reproduction system, resulting in modified images that provide the appearance of an image captured with the film reproduction system, whereby the transformation steps are referenced to scanned film densities of a film used in the film reproduction system (Col 12 Lines 13-67, Col 13 Lines 1-23).

Collier does not teach step b) transforming the electronically captured image data into linearized exposure data, resulting in neutral-corrected electronically captured images as part of the second embodiment. Collier does teach the step of linearizing the captured image as part of the first embodiment where the captured image is linearized before being stored to a storage medium (Col 7 Lines 47-67, Col 8 Lines 1-36, Fig 6 and 8). Collier further does not teach step d) transforming the exposure-corrected electronically captured images with a non-linear function that renders the exposure-corrected electronically captured images with a tone scale of the film reproduction system, resulting in tonescale-corrected electronically captured images. This feature along with the others in the claims define over the prior art.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 4,771,342 to Beesley.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erick Rekstad whose telephone number is 703-305-5543. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 703-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Erick Rekstad  
Examiner  
AU 2613  
(703) 305-5543  
[erick.rekstad@uspto.gov](mailto:erick.rekstad@uspto.gov)

  
CHRIS KELLEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600